IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.432 OF 2004
IN
SUMMARY SUIT NO.2969 OF 2003

Shri Ramchandra K.Meher ..Plaintiffs

Vs.

Shri Stephen A.Bar ..Defendants

Mr.Jain for the plaintiffs
Mr.H.S.S.Murthy for the defendants

CORAM : S.U.KAMDAR, J
DATED : 14TH SEPTEMBER, 2005

P.C.:

. I have perused the original undertaking at Ex.A to the plaint. It is clear that the said undertaking is not prepared by the defendants. The document is in somebody else's handwriting. Defendant has denied the signature also. Triable issues arises in the present case. Summons for Judgemnt is dismissed accordingly. In view thereof, unconditional leave to defend is granted. Suit is transferred to the list of Commercial Causes. Written Statement or points of defence to be filed within four weeks from today. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the learned

Judge taking Commercial Causes.